

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BIG GUY'S PINBALL, LLC.,

Plaintiff,

vs

Case No: 14-14185  
Honorable Victoria A. Roberts

JIMMY LIPHAM.

Defendant.

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**ORDER STRIKING PLAINTIFF'S MOTION TO STRIKE  
DEFENDANT'S THIRD-PARTY BENEFICIARY DEFENSES (DOC. #48);  
DEFENDANT'S STATUS REPORT (DOC. #49); AND PLAINTIFF'S  
RESPONSE AND MOTION WITH RESPECT TO DEFENDANT'S  
STATUS REPORT (DOC. #50)**

At the Court's request, Plaintiff filed the above entitled motion. The Court did not expect the Defendant's Status Report or Plaintiff's Response in advance of an October 13, 2015 scheduled Status Conference. The conference was held. Attending were Robert Farr representing the Plaintiff and Jimmy Lipham representing the Defendant. Based on the discussion held:

1. The above papers are all **STRICKEN**. Plaintiff may refile the motion at the close of discovery.
2. By Wednesday, October 22, 2015, the parties are ordered to file either a joint discovery plan if they can agree or separate plans. The Court will use the submissions to fashion a discovery order.

**IT IS ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: October 15, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 15, 2015.

s/Linda Vertriest

Deputy Clerk